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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Glenn Hoskinson
Department of Commerce, Community, and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor
465.4081

DATE: December 20, 2021

RE: Filed Permanent Regulations: Board of Nursing

Board of Nursing regulations re: licensure for advanced practice registered nurses (APRNs), prescriptive and dispensing authority, APRN identification, and certified nurse aide (CNA) certification and renewal (12 AAC 44.400(a)(5); 12 AAC 44.440(c); 12 AAC 44.445(j); 12 AAC 44.465; 12 AAC 44.805(1), (3); 12 AAC 44.815(b)(3))

Attorney General File:	2021200437
Regulation Filed:	12/20/2021
Effective Date:	1/19/2022
Print:	241, April 2022

cc with enclosures: Joseph Felkl, Department of Law
Judy Herndon, LexisNexis
Jun Maiquis, Regulations Specialist

ORDER CERTIFYING THE CHANGES TO
REGULATIONS OF THE BOARD OF NURSING

The attached three pages of regulations, dealing with initial licensure requirements for advanced practice registered nurse, prescriptive authority, controlled substance prescriptive and dispensing authority, identification requirements, certification by endorsement, and issuance and renewal of certification, are hereby certified to be a correct copy of the regulation changes that the Board of Nursing adopted at its November 3-4, 2021 and November 22, 2021 teleconference meetings, under the authority of AS 08.01.100, AS 08.68.100, AS 08.68.331, AS 08.68.336, and AS 08.68.850, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Nursing paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 11/29/2021

DocuSigned by:

Danette Schloeder

EE90810D06E9400

Danette Schloeder, RN, Chair
Alaska Board of Nursing

April Simpson for

FILING CERTIFICATION

I, [↑]Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on December 20, 2021 at 2:15 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.

for April Simpson
Kevin Meyer, Lieutenant Governor

Effective: January 19, 2022

Register: 241, April 2022

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA,
designate the following state employees to perform the Administrative Procedures Act
filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff
Kady Levale, Notary Administrator
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have
signed and affixed the Seal of the State of
Alaska, in Juneau, on December 11th,
2018.**




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**KEVIN MEYER
LIEUTENANT GOVERNOR**

Chapter 44. Board of Nursing.

12 AAC 44.400(a)(5) is repealed:

(5) repealed 1 / 19 / 2022;

(Eff. 1/13/80, Register 73; am 5/16/81, Register 78; am 12/1/84, Register 91; am 11/7/87, Register 104; am 4/27/97, Register 142; am 11/2/2001, Register 160; am 11/16/2002, Register 164; am 3/28/2008, Register 185; am 11/19/2008, Register 188; am 4/16/2010, Register 194; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 8/10/2016, Register 219; am 5/16/2018, Register 226; am 10/20/2018, Register 228; am 4/14/2021, Register 238; am 1 / 19 / 2022, Register 241)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.440(c) is amended to read:

(c) Authorized prescriptions by an APRN must

[(1)] comply with all applicable state and federal laws [; AND

(2) CONTAIN THE SIGNATURE OF THE PRESCRIBER FOLLOWED BY THE INITIALS "APRN" AND THE PRESCRIBER'S IDENTIFICATION NUMBER ASSIGNED BY THE BOARD].

(Eff. 1/13/80, Register 73; am 12/1/84, Register 91; am 11/7/87, Register 104; am 8/9/92, Register 123; am 4/9/94, Register 130; am 4/27/97, Register 142; am 7/17/2003, Register 167; am 5/29/2005, Register 174; am 3/28/2008, Register 185; am 12/23/2009, Register 192; am 4/16/2010, Register 194; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 8/10/2016, Register 219; am 5/16/2018, Register 226; am 1 / 19 / 2022, Register 241)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.445 is amended by adding a new subsection to read:

(j) In addition to the requirements of this section, when prescribing a controlled substance, an APRN with prescriptive authority shall comply with the maximum dosage for opioid prescriptions under AS 08.68.705 ^{§ 08.68.705} the maximum daily dosage for a patient initial opioid prescription under AS 08.68.705(a) may not exceed 50 morphine milligram equivalents (MME). (Eff. 11/17/87, Register 104; am 4/9/94, Register 130; am 4/27/97, Register 142; am 5/29/2005, Register 174; am 10/3/2011, Register 200; am 12/27/2012, Register 205; am 5/6/2018, Register 226; am 8/8/2018, Register 227; am 1 / 19 / 2022, Register 241)

Authority: AS 08.68.100 AS 08.68.850

12 AAC 44.465 is repealed:

12 AAC 44.465. Identification. Repealed 1 / 19 / 2022. (Eff. 12/1/84, Register 91; am 5/16/2018, Register 226; repealed 1 / 19 / 2022, Register 241)

As Publisher: Please delete the editor's note that follows 12 AAC 44.465.)))

12 AAC 44.805(1) is amended to read:

(1) successful completion of a certified nurse aide training program **that meets minimum federal requirements of 42 C.F.R. 483.152** [APPROVED UNDER 12 AAC 44.835, OR EQUIVALENT IN CONTENT TO THE REQUIREMENTS OF 12 AAC 44.835(c)];

12 AAC 44.805(3) is amended to read:

(3) successful completion of **a national** [THE] competency evaluation

[REQUIRED UNDER 12 AAC 44.850]; and



(Eff. 2/14/99, Register 149; am 3/28/2008, Register 185; am 12/27/2012, Register 204; am 3/19/2014, Register 209; am 5/16/2018, Register 226; am 4/14/2021, Register 238; am

1 / 19 / 2022, Register 241)

Authority: AS 08.68.100 AS 08.68.331

12 AAC 44.815(b)(3) is amended to read:

(3) **attestation** [VERIFICATION] that the applicant has met the continuing education requirements of 12 AAC 44.825 and the requirements of (c) or (d) of this section.

Documentation showing completion of continuing education and verification of employment will be required if selected for audit.

the certified nurse aide is in bold/u.2.))

(Eff. 2/14/99, Register 149; am 12/14/99, Register 153; am 4/9/2000, Register 154; am

11/2/2001, Register 160; am 7/22/2004, Register 171; am 5/29/2005, Register 174; am

12/23/2009, Register 192; am 10/3/2011, Register 200; am 12/27/2012, Register 204; am

5/16/2018, Register 226; am 3/26/2020, Register 234; am 1 / 19 / 2022, Register 241)

Authority: AS 08.01.100 AS 08.68.331 AS 08.68.336

AS 08.68.100